

REMARKS/ARGUMENTS

This Amendment is being filed in response to the first Official Action of a Request for Continued Examination (RCE) for the above-identified application. Initially, Applicants would like to thank the Examiner for taking the time to conduct a telephone interview with Applicants' undersigned attorney regarding the first Official Action. The present application includes pending Claims 1-9, 11-16 and 18-20, of which the first Official Action continues to reject Claims 1-8, 11, 12, 14, 15, 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,850,540 to Peisa et al., in view of U.S. Patent No. 6,985,457 to Zeira et al. The Official Action also continues to reject the remaining pending claims, namely Claims 9, 13, 16 and 20, as being unpatentable over Peisa in view of Zeira, and further in view of U.S. Patent Application Publication No. 2002/0164980 to Eriksson et al. In addition, the Official Action objects to a number of the claims as including one or more informalities.

In response, Applicants have cancelled Claims 11-13 and 18-20, and amended the dependencies of Claims 2 and 3; and accordingly respectfully submit that the objections to the claims are overcome. In addition, Applicants have also added new independent Claims 21 and 22 to recite further patentable aspects of the present invention. As explained during the telephone interview, and further below, Applicants respectfully submit that the claimed invention is patentably distinct from Peisa, Zeira and Eriksson, taken individually or in combination. Applicants therefore respectfully traverse the rejections of the claims as being unpatentable over Peisa in view of Zeira, alone or further in view of Eriksson. In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

A. Claims 1-8, 14 and 15 are Patentable over Peisa in view of Zeira

Independent Claim 1 recites a method of transmitting a radio signal. As recited, the method includes implementing a protocol stack having at least a physical layer and a medium access control layer, where the medium access control layer directs data from an application to a plurality of transport channels, the data belonging to any of a plurality of classes for which different qualities of service are required, the transport channels being selected in accordance

with the class to which the data belongs. The method also includes processing each transport channel in accordance with a processing scheme dependent upon the nature of the application. Further, the method includes multiplexing the transport channels to produce a physical layer signal, where a code identifying each transport channel processing scheme is included in the physical layer signal.

In contrast to independent Claim 1, neither Peisa nor Ziera, taken individually or in combination, teach or suggest a method of transmitting a radio signal including processing transport channels in accordance with a processing scheme dependent upon the nature of the application from which data is directed to a plurality of transport channels. The Official Action continues to cite Peisa as disclosing a method including processing transport channels to which data is directed from an application. However, Peisa only refers to the selection of an appropriate transport format combination (TFC) to meet criteria such as a guaranteed data transmission rate, or weighted queuing transmission rate, as disclosed in the Abstract of Peisa. Nowhere does Peisa teach or suggest processing transport channels in accordance with any application-dependent processing schemes, as recited by independent Claim 1.

As explained during the telephone interview, a transport format (TF) (i.e., processing scheme) may be associated with a transport channel. A collection of TFs for a plurality of transport channels form a transport format combination (TFC), and a collection of TFCs available for selection for a plurality of transport channels form a TFC set (TFCS). As recited by the claimed invention, a processing scheme for each transport channel (in a TFC for a plurality of transport channels) is dependent upon an application that supplies data to the transport channels. Peisa, however, is concerned with selection of TFCs within a TFCS, and not with how the TFs (processing schemes) within any TFC are setup (or upon what they depend). And although Peisa does explain the information included in a TF (see, e.g., col. 7, ll. 1-23), Peisa does not explain any dependency of any TF within any TFC, much less the dependency of a TF on an application supplying data to the transport channels, similar to in the claimed invention.

Applicants therefore respectfully submit that independent Claim 1, and by dependency Claims 2, 3 and 5-9, is patentably distinct from Peisa and Ziera, taken individually or in combination. Applicants also respectfully submit that independent Claims 4 and 21 recite

subject matter similar to that of amended independent Claim 1. That is, independent Claims 4 and 21 recite processing transport channels in accordance with a processing scheme (or transport format in Claim 21) dependent upon the nature of the application from which data is directed to a plurality of transport channels. Thus, Applicants respectfully submit that independent Claims 4 and 21, and by dependency Claims 14-16, is also patentably distinct from Peisa and Ziera, taken individually or in combination, for at least the reasons given above with respect to independent Claim 1.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 1-8, 10-12, 14, 15 and 17-19 as being unpatentable over Peisa in view of Ziera is overcome (or rendered moot by virtue of the cancellation of Claims 11-13 and 18-20).

C. Claims 9, 13, 16 and 20 are Patentable over Peisa in view of Zeira and Eriksson

The Official Action rejects Claims 9, 13, 16 and 20 as being unpatentable over Peisa in view of Zeira and Eriksson. As explained above, neither Peisa nor Zeira, taken individually or in combination, teaches nor suggests processing transport channels in accordance with a processing scheme dependent upon the nature of the application from which data is directed to a plurality of transport channels, as recited by independent Claims 1 and 4, and by dependency Claims 9, 13, 16 and 20. Similarly, Applicants respectfully submit that Eriksson does not teach or suggest this feature of the claimed invention. Applicants therefore respectfully submit that independent Claims 1 and 4, and by dependency Claims 9, 13, 16 and 20, are patentably distinct from Peisa, Zeira and Eriksson, taken individually or in combination.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 9, 13, 16 and 20 as being unpatentable over Peisa in view of Zeira and Eriksson is overcome.

Appl. No.: 10/029,929
Amdt. dated May 8, 2007
Reply to Official Action of December 8, 2006

CONCLUSION

In view of the amendments to the claims and the remarks presented above, Applicants respectfully submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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LEGAL02/30355763v1